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A bill to be entitled

An act relating to seaport security standards; amending s. 311.12, F.S.; requiring that each seaport security plan have a procedure that notifies an individual that he or she is disqualified from employment within, or regular access to, a seaport or a seaport's restricted access area; requiring each plan to include a procedure by which the individual may appeal the decision of the seaport; directing a seaport to have its procedures in substantial compliance with federal regulations; providing criteria for seaports to consider for inclusion in procedures for appeals and waivers from disqualification; providing that an individual remain free from subsequent convictions for 5 years before seeking employment in, or access to, a seaport; requiring each seaport to report to the Department of Law Enforcement by a specified date the number of waivers from disqualification issued in the previous 12 months; amending s. 311.125, F.S.; conforming provisions to changes made by the act; reenacting s. 315.02(6), F.S., relating to the definitions for the 1959 Port Facilities Financing Law, for the purpose of incorporating the amendment to s. 311.12, F.S., in a reference thereto; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 311.12, Florida Statutes, is amended to read:
 311.12 Seaport security standards.--

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30 (1)(a) The statewide minimum standards for seaport
 31 security for each seaport identified in s. 311.09 shall be those
 32 based upon the Florida Seaport Security Assessment 2000 and set
 33 forth in the "Port Security Standards--Compliance Plan"
 34 delivered to the Speaker of the House of Representatives and the
 35 President of the Senate on December 11, 2000, under ~~pursuant to~~
 36 this section. The statewide minimum standards are hereby
 37 adopted. The Office of Drug Control within the Executive Office
 38 of the Governor shall maintain a sufficient number of copies of
 39 the standards for use of the public, at its offices, and shall
 40 provide copies to each affected seaport upon request.

41 (b) The Department of Law Enforcement may exempt any
 42 seaport identified in s. 311.09 from all or part of the
 43 requirements of subsections (1)-(5) if the department determines
 44 that the seaport is not active. The department shall
 45 periodically review exempted seaports to determine if there is
 46 maritime activity at the seaport. A change in status from
 47 inactive to active may warrant removal of all or part of any
 48 exemption provided by the department.

49 (2) Each seaport identified in s. 311.09 shall maintain a
 50 security plan relating to the specific and identifiable needs of
 51 the seaport which assures that the seaport is in substantial
 52 compliance with the statewide minimum standards established
 53 under ~~pursuant to~~ subsection (1). Each plan adopted or revised
 54 under ~~pursuant to~~ this subsection must be reviewed and approved
 55 by the Office of Drug Control and the Department of Law
 56 Enforcement. All ~~such~~ seaports shall allow unimpeded access by
 57 the Department of Law Enforcement to the affected facilities for
 58 purposes of inspections or other operations authorized by this

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59 section. Each seaport security plan may establish restricted
 60 access areas within the seaport consistent with the requirements
 61 of the statewide minimum standards. In these ~~such~~ cases, a
 62 Uniform Port Access Credential Card, authorizing restricted-area
 63 access, shall be required for any individual working within or
 64 authorized to regularly enter a restricted access area and the
 65 requirements in subsection (3) relating to criminal history
 66 checks and employment restrictions shall be applicable only to
 67 employees or other persons working within or authorized to
 68 regularly enter a restricted access area. Every seaport security
 69 plan shall set forth the conditions and restrictions to be
 70 imposed upon others visiting the port or any restricted access
 71 area sufficient to provide substantial compliance with the
 72 statewide minimum standards.

73 (3)(a) A fingerprint-based criminal history check shall be
 74 performed on any applicant for employment, every current
 75 employee, and other persons as designated under ~~pursuant to~~ the
 76 seaport security plan for each seaport. The criminal history
 77 check shall be performed in connection with employment within or
 78 other authorized regular access to a restricted access area or
 79 the entire seaport if the seaport security plan does not
 80 designate one or more restricted access areas. With respect to
 81 employees or others with regular access, the ~~such~~ checks shall
 82 be performed at least once every 5 years or at other more
 83 frequent intervals as provided by the seaport security plan.
 84 Each individual subject to the background criminal history check
 85 shall file a complete set of fingerprints taken in a manner
 86 required by the Department of Law Enforcement and the seaport
 87 security plan. Fingerprints shall be submitted to the Department

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88 of Law Enforcement for state processing and to the Federal
 89 Bureau of Investigation for federal processing. The results of
 90 each fingerprint-based check shall be reported to the requesting
 91 seaport. The costs of the checks, consistent with s. 943.053(3),
 92 shall be paid by the seaport or other employing entity or by the
 93 person checked.

94 (b) By January 1, 2002, each seaport security plan shall
 95 identify criminal convictions or other criminal history factors
 96 consistent with paragraph (e) ~~(e)~~ which shall disqualify a
 97 person from either initial seaport employment or new
 98 authorization for regular access to seaport property or to a
 99 restricted access area. These ~~Such~~ factors shall be used to
 100 disqualify all applicants for employment or others seeking
 101 regular access to the seaport or restricted access area on or
 102 after January 1, 2002, and may be used to disqualify all those
 103 employed or authorized for regular access on that date. ~~Each~~
 104 ~~seaport security plan may establish a procedure to appeal a~~
 105 ~~denial of employment or access based upon procedural~~
 106 ~~inaccuracies or discrepancies regarding criminal history factors~~
 107 ~~established pursuant to this paragraph. A seaport may allow~~
 108 ~~waivers on a temporary basis to meet special or emergency needs~~
 109 ~~of the seaport or its users. Policies, procedures, and criteria~~
 110 ~~for implementation of this subsection shall be included in the~~
 111 ~~seaport security plan. All waivers granted pursuant to this~~
 112 ~~paragraph must be reported to the Department of Law Enforcement~~
 113 ~~within 30 days of issuance.~~

114 (c) Each seaport security plan shall establish a procedure
 115 that notifies an individual that he or she is disqualified for
 116 employment within or regular access to a seaport or restricted

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117 access area. The plan shall also include a procedure by which
118 the individual may appeal the decision of the seaport. The
119 procedures must be in substantial compliance with 49 C.F.R.,
120 Part 1572, and must include, but need not be limited to, the
121 following:

122 1. The seaport must notify the individual, in writing,
123 that he or she poses a security threat to the seaport and is
124 disqualified for employment in or access to the seaport. The
125 notification must include a statement that the seaport has
126 determined that the individual poses a security threat
127 warranting disqualification, the basis for the determination,
128 and information about the correction of records and appeal
129 procedures.

130 2. An individual may appeal a disqualification
131 determination only if the individual asserts that he or she
132 meets the qualifications set by the seaport for the position for
133 which he or she is applying. If the disqualification
134 determination is based on a conviction for a disqualifying crime
135 listed in paragraph (e), the individual may present evidence
136 that the underlying criminal record is incorrect, or that the
137 conviction was pardoned, expunged, or overturned on appeal. An
138 executive pardon, expungement, or overturned conviction may
139 nullify a disqualifying conviction if the pardon, expungement,
140 or overturned conviction does not impose any restrictions on the
141 individual.

142 3. An individual may initiate an appeal of a
143 disqualification determination by submitting a written request
144 for materials or a written reply to the seaport within 15 days
145 after receiving notification of the disqualification

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146 determination. If the individual does not initiate an appeal
147 within that time, the decision of the seaport is final.

148 4. The individual may serve upon the seaport a written
149 request for copies of the materials upon which the
150 disqualification determination was based. If the
151 disqualification determination was based on a state or Federal
152 Bureau of Investigation criminal history record that the
153 individual believes is erroneous, the individual may correct the
154 record and submit the corrections to the seaport. The seaport
155 must respond within 30 days after receiving the individual's
156 request for materials. The seaport must give the individual a
157 copy of the releasable materials upon which the disqualification
158 determination was based. The seaport may not include any
159 classified information as provided by federal law.

160 5. The individual may also serve on the seaport a written
161 reply to the disqualification determination stating that the
162 seaport made errors when it issued the disqualification
163 determination.

164 6. The seaport must respond to the individual's appeal no
165 later than 30 days after the seaport receives an individual's
166 request. If the seaport determines that the individual does pose
167 a security threat, the seaport shall give written notice to the
168 individual of its final decision that the individual is
169 disqualified for employment in or access to the seaport. If,
170 upon reconsideration, the seaport concludes that the individual
171 does not pose a security threat to the seaport, the seaport must
172 notify the individual in writing of its decision. Thereafter,
173 the seaport shall issue to the individual the appropriate
174 Uniform Port Access Credential Card.

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175 7. If the seaport determines that the individual does pose
 176 a security threat, the seaport must include in its written
 177 notice of disqualification that the seaport's decision is final
 178 agency action subject to judicial review under s. 120.68.

179 (d) A seaport may allow waivers on a temporary basis to
 180 meet special or emergency needs of the seaport or its users.
 181 Policies, procedures, and criteria for implementation of this
 182 paragraph must be included in the seaport security plan. The
 183 seaport must consider, when determining whether to grant a
 184 waiver, if the disqualification is based on a disqualifying
 185 criminal offense, the circumstances of the disqualifying act or
 186 offense, whether restitution was made by the individual, and
 187 other factors that indicate that the individual does not
 188 otherwise pose a security threat warranting disqualification for
 189 access to the seaport. The seaport must send a written notice to
 190 the individual informing the individual whether the seaport
 191 granted or denied the request for a waiver. All waivers granted
 192 under this paragraph must be reported to the Department of Law
 193 Enforcement within 30 days after issuance.

194 (e)(e) In addition to other requirements for employment or
 195 access established by each seaport under ~~pursuant to~~ its seaport
 196 security plan, each seaport security plan shall provide that:

197 1. Any person who has within the past 7 years been
 198 convicted, regardless of whether adjudication was withheld, for
 199 a forcible felony as defined in s. 776.08; an act of terrorism
 200 as defined in s. 775.30; planting of a hoax bomb as provided in
 201 s. 790.165; any violation involving the manufacture, possession,
 202 sale, delivery, display, use, or attempted or threatened use of
 203 a weapon of mass destruction or hoax weapon of mass destruction

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204 as provided in s. 790.166; dealing in stolen property; any
 205 violation of s. 893.135; any violation involving the sale,
 206 manufacturing, delivery, or possession with intent to sell,
 207 manufacture, or deliver a controlled substance; burglary;
 208 robbery; any felony violation of s. 812.014; any violation of s.
 209 790.07; any crime an element of which includes use or possession
 210 of a firearm; any conviction for any similar offenses under the
 211 laws of another jurisdiction; or conviction for conspiracy to
 212 commit any of the listed offenses is ~~shall~~ not be qualified for
 213 initial employment within or regular access to a seaport or
 214 restricted access area; and

215 2. Any person who has at any time been convicted for any
 216 of the listed offenses is ~~shall~~ not be qualified for initial
 217 employment within or authorized regular access to a seaport or
 218 restricted access area unless, after release from incarceration
 219 and any supervision imposed as a sentence, the person remained
 220 free from a subsequent conviction, regardless of whether
 221 adjudication was withheld, for any of the listed offenses for a
 222 period of 5 ~~at least 7~~ years before ~~prior to~~ the employment or
 223 access date under consideration.

224 (f)~~(d)~~ By October 1 of each year, each seaport shall
 225 report to the Department of Law Enforcement each determination
 226 of denial of employment or access, and any determination to
 227 authorize employment or access after an appeal of a denial and
 228 any determination to issue a waiver made during the previous 12
 229 months. The report shall include the identity of the individual
 230 affected, the factors supporting the determination, and any
 231 other material factors used in making the determination.

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232 (4)(a) Subject to ~~the provisions of~~ subsection (6), each
 233 affected seaport shall begin to implement its security plan
 234 developed under this section by July 1, 2001.

235 (b) The Office of Drug Control and the Department of Law
 236 Enforcement may modify or waive any physical facility or other
 237 requirement contained in the statewide minimum standards for
 238 seaport security upon a finding or other determination that the
 239 purposes of the standards have been reasonably met or exceeded
 240 by the seaport requesting the modification or waiver. The ~~Such~~
 241 modifications or waivers shall be noted in the annual report
 242 submitted by the Department of Law Enforcement under ~~pursuant to~~
 243 this subsection.

244 (c) Beginning with the 2001-2002 fiscal year, the
 245 Department of Law Enforcement, or any entity designated by the
 246 department, shall conduct no less than one annual unannounced
 247 inspection of each seaport listed in s. 311.09 to determine
 248 whether the seaport is meeting the minimum standards established
 249 under ~~pursuant to~~ this section, and to identify seaport security
 250 changes or improvements necessary or otherwise recommended. The
 251 Department of Law Enforcement, or any entity designated by the
 252 department, may conduct additional announced or unannounced
 253 inspections or operations within or affecting any affected
 254 seaport to test compliance with, or the effectiveness of,
 255 security plans and operations at each seaport, to determine
 256 compliance with physical facility requirements and standards, or
 257 to assist the department in identifying changes or improvements
 258 necessary to bring a seaport into compliance with the statewide
 259 minimum security standards.

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260 (d) By December 31, 2001, and annually thereafter, the
 261 Department of Law Enforcement, in consultation with the Office
 262 of Drug Control, shall complete a report indicating the
 263 observations and findings of all inspections or operations
 264 conducted during the year and any recommendations developed by
 265 reason of these ~~such~~ inspections. A copy of the report shall be
 266 provided to the Governor, the President of the Senate, the
 267 Speaker of the House of Representatives, and the chief
 268 administrator of each seaport inspected. The report shall
 269 include responses from the chief administrator of any seaport
 270 indicating what actions, if any, have been taken or are planned
 271 to be taken in response to the recommendations, observations,
 272 and findings reported by the department.

273 (e) In making security project or other funding decisions
 274 applicable to each seaport listed in s. 311.09, the Legislature
 275 may consider as authoritative the annual report of the
 276 Department of Law Enforcement required by this section,
 277 especially regarding each seaport's degree of substantial
 278 compliance with the statewide minimum security standards
 279 established by this section.

280 (5) ~~Nothing in~~ This section does not prevent ~~shall be~~
 281 ~~construed as preventing~~ any seaport from implementing security
 282 measures that are more stringent, greater than, or supplemental
 283 to the statewide minimum standards established by this section
 284 except that, for purposes of employment and access, each seaport
 285 shall adhere to the requirements provided in paragraph (3)(e)
 286 ~~(3)(e)~~ and may ~~shall~~ not exceed statewide minimum requirements.

287 (6) When funds are appropriated for seaport security, the
 288 Office of Drug Control and the Florida Seaport Transportation

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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289 and Economic Development Council shall mutually determine the
 290 allocation of these ~~such~~ funds for security project needs
 291 identified in the approved seaport security plans required by
 292 this section. Any seaport that receives state funds for security
 293 projects must enter into a joint participation agreement with
 294 the appropriate state entity and must use the seaport security
 295 plan developed under ~~pursuant to~~ this section as the basis for
 296 the agreement. If funds are made available over more than one
 297 fiscal year, the ~~such~~ agreement must reflect the entire scope of
 298 the project approved in the security plan and, as practicable,
 299 allow for reimbursement for authorized projects over more than 1
 300 year. The joint participation agreement may include specific
 301 timeframes for completion of a security project and the
 302 applicable funding reimbursement dates. The joint participation
 303 agreement may also require a contractual penalty, not to exceed
 304 \$1,000 per day, to be imposed for failure to meet project
 305 completion dates provided state funding is available. Any ~~such~~
 306 penalty shall be deposited into the State Transportation Trust
 307 Fund to be used for seaport security operations and capital
 308 improvements.

309 Section 2. Section 311.125, Florida Statutes, is amended
 310 to read:

311 311.125 Uniform Port Access Credential System.--

312 (1) By July 1, 2004, each seaport identified in s. 311.09
 313 and subject to the statewide minimum seaport security standards
 314 set forth in s. 311.12 shall ~~be required to~~ use a Uniform Port
 315 Access Credential Card that is to be used ~~utilized~~ in the
 316 operation of the state Uniform Port Access Credential System as
 317 required herein. All Uniform Port Access Credential Cards shall

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318 be issued by the Department of Highway Safety and Motor Vehicles
 319 to the designated port authority, or recognized governing board,
 320 of the requesting seaport for distribution to the credential
 321 applicant.

322 (2)(a) The Department of Highway Safety and Motor
 323 Vehicles, in consultation with the Department of Law
 324 Enforcement, the Florida Seaport Transportation and Economic
 325 Development Council, the Florida Trucking Association, and the
 326 United States Transportation Security Administration shall
 327 develop a Uniform Port Access Credential System for use in
 328 onsite verification of access authority for all persons on a
 329 seaport as defined in s. 311.12(2), using ~~utilizing~~ the Uniform
 330 Port Access Credential Card as authorized herein. Each seaport,
 331 in a manner consistent with the "Port Security Standards
 332 Compliance Plan" delivered to the Speaker of the House of
 333 Representatives and the President of the Senate on December 11,
 334 2000, under ~~pursuant to~~ s. 311.12, and this section, is
 335 responsible for granting, restricting, or modifying access
 336 authority provided to each Uniform Port Access Credential Card
 337 holder and promptly communicating the levels of access or
 338 changes in the level of access to the department for its use in
 339 administering the Uniform Port Access Credential System. Each
 340 seaport is responsible for the proper operation and maintenance
 341 of the Uniform Port Access Credential Card reader and access
 342 verification ~~utilizing~~ the Uniform Port Access Credential System
 343 at its location. The Uniform Port Access Credential Card reader
 344 and Uniform Port Access Credential System shall be used ~~utilized~~
 345 by each seaport to ensure compliance with the access
 346 restrictions provided by s. 311.12.

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347 (b) The system shall be designed to conform, as closely as
 348 possible, with criteria established by the United States
 349 Transportation Security Administration for a Transportation
 350 Worker Identification Card, or similar identification, as
 351 required by federal law. The system shall, at a minimum,
 352 consist of:

353 1. A centralized, secure database for collecting and
 354 maintaining fingerprints and other biometric means of identity,
 355 and other information pertaining to personal identification of
 356 persons working on, or doing business at, a Florida seaport as
 357 set forth in s. 311.12;

358 2. A methodology for receiving data from each port and
 359 transmitting data to each port regarding access permissions;

360 3. Technology required for each gate and portal at each
 361 seaport to be interactive with the Uniform Port Access
 362 Credential System during all hours of operation;

363 4. The ability to identify persons who have violated the
 364 access requirements of s. 311.12 and to deactivate the access
 365 permissions of those persons; and

366 5. The ability to use ~~utilize~~ the Uniform Port Access
 367 Credential Card in a manner consistent herein.

368
 369 The ~~Such~~ system shall be designed to ensure the credentialed
 370 cardholders' privacy in a manner consistent with the state's
 371 security requirements as provided herein.

372 (3) The Uniform Port Access Credential Card must include
 373 at a minimum a digital fullface photograph, a digital
 374 fingerprint, a multilayered security process, a two-dimensional
 375 barcode with technology specifications that will allow the

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376 unique biometric identifiers to reside in the barcode, a unique
 377 identifying code or number, scanning capability to compare
 378 required identifiers with information on file in the central
 379 database, and background color differentials for visual
 380 identification of access permissions.

381 (4) A fingerprint-based criminal history check shall be
 382 performed on an applicant for a Uniform Port Access Credential
 383 Card as provided in s. 311.12(3). Based upon review of the
 384 criminal history check, each seaport may determine the specific
 385 access permissions that will be granted to that applicant. Upon
 386 receipt of a port authority "Notification of Access Permission"
 387 form and a verification of the criminal history check, the
 388 department shall issue a Uniform Port Access Credential Card to
 389 the port authority for distribution to the applicant.

390 (5) A Uniform Port Access Credential Card is valid for 4
 391 years following the date of issuance. Criminal history checks
 392 may be performed on a random basis, but at least once a year,
 393 during the period that the ~~such~~ credential card is active to
 394 ensure that the credential holder complies with the requirements
 395 for access to restricted areas provided in s. 311.12(3). Failure
 396 to complete any part of the required credential application
 397 process, or failure to comply with the criminal history
 398 clearances, shall be grounds for immediate denial of access. In
 399 addition to access authority granted to seaports, access
 400 authority may be restricted or revoked by the Department of
 401 Highway Safety and Motor Vehicles or the Department of Law
 402 Enforcement if the cardholder is suspected of criminal
 403 violations that could affect the security of a port or that
 404 otherwise render the cardholder ineligible for port access, upon

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405 suspicion that the person in possession of the card is using it,
 406 or attempting to use it, fraudulently, or if restriction or
 407 revocation is done to assure the security of any port or portion
 408 thereof.

409 (6) Corporations, persons, or other business entities that
 410 employ persons to work on, or do business at, seaports regulated
 411 in s. 311.12 shall notify those seaports for which those
 412 employees have access permissions in the event of the employee's
 413 termination, resignation, work-related incapacitation, or death.
 414 Uniform Port Access Credential Card accesses for persons not
 415 currently employed to perform a job on a seaport shall be placed
 416 in an inactive status. Upon notification of a work status
 417 change, the port authority, or recognized governing board, shall
 418 notify the department to have the credential card placed in an
 419 inactive status. Inactive status shall continue until the
 420 expiration of the credential card or reactivation of the card by
 421 petition. The former employee may have the credential card
 422 reactivated by petitioning a seaport. The port authority, or
 423 recognized governing board, of any seaport may determine that
 424 the individual is employed by another appropriate entity or is
 425 self-employed for purposes of performing work on the seaport.
 426 Upon that determination, the port authority, or recognized
 427 governing board, may request reactivation of credentialing
 428 permissions. All these ~~such~~ cards may be restricted or revoked
 429 as provided in subsection(5).

430 (7) Failure to report a change in work status, as defined
 431 in this section, within 7 days after the action may result in
 432 revocation of the business entity's access to the seaport.

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433 (8) Each person working on a seaport, as regulated in s.
 434 311.12(2), shall be issued a Uniform Port Access Credential Card
 435 upon completion of the application process. Upon issuance of the
 436 Uniform Port Access Credential Card, the cardholder is eligible
 437 to enter a seaport in the system based on the level of
 438 permission allowed by each respective seaport. A person working
 439 in a restricted access area must meet the requirements of s.
 440 311.12(3). The Uniform Port Access Credential Card shall be
 441 clearly marked for visual verification of the cardholder's
 442 permission for access to a restricted area, under ~~pursuant to~~
 443 subsection (3). The card must contain biometric verification of
 444 the cardholder's identity and proper access permissions.
 445 Entrance to a restricted access area, as defined in s.
 446 311.12(2), shall require a machine check and fingerprint
 447 verification of each person's Uniform Port Access Credential
 448 Card for proper identification. Exit from any restricted access
 449 area of a seaport shall require a machine check of the
 450 credential card.

451 (9) Each person not producing a Uniform Port Access
 452 Credential Card upon arrival at a restricted area of a seaport
 453 must, at a minimum, stop at a check point, show valid
 454 identification, and receive a visitor's pass in order to
 455 proceed. The visitor's pass must be plainly displayed on the
 456 person of the visitor or in the windshield of the vehicle and
 457 designate what area of the seaport may be accessed by the
 458 visitor. Failure to display the visitor's pass shall result in
 459 revocation of a worker's permission to work on the seaport.
 460 Public conveyances such as buses carrying passengers into
 461 restricted access areas must be able to verify that all

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462 passengers have legitimate business on the seaport. Procedures
463 for implementation of this process are the responsibility of
464 each seaport.

465 (10) The price of a Uniform Port Access Credential Card
466 shall be set by the department and shall reflect the cost of the
467 required criminal history checks, including the cost of the
468 initial state and federal fingerprint check and the annual
469 criminal history check and the cost of production and issuance
470 of the card by the department. A seaport may charge an
471 additional administrative fee to cover the costs of issuing
472 credentials to its employees and persons doing business at the
473 seaport.

474 (11) Each Uniform Port Access Credential Card remains the
475 property of the State of Florida. Any person possessing ~~such~~ a
476 card shall provide it to any law enforcement officer upon
477 request. A law enforcement officer having reasonable suspicion
478 to believe that a card is possessed or is being used in
479 violation of law or the standards provided by this section, or
480 in any other manner that raises a concern about the safety and
481 security of a seaport, may seize the card. A cardholder has no
482 cause of action against any law enforcement officer who seizes a
483 Uniform Port Access Credential Card.

484 (12) Each seaport defined in s. 311.09 and required to
485 meet the minimum security standards set forth in s. 311.12 shall
486 comply with technology improvement requirements for the
487 activation of the Uniform Port Access Credential System no later
488 than July 1, 2004. Equipment and technology requirements for the
489 system shall be specified by the department no later than July
490 1, 2003. The system shall be implemented at the earliest

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491 possible time that all seaports have active technology in place,
 492 but no later than July 1, 2004.

493 (13) The "Port Security Standards Compliance Plan"
 494 delivered to the Speaker of the House of Representatives and the
 495 President of the Senate on December 11, 2000, under ~~pursuant to~~
 496 s. 311.12, shall be updated by the Department of Law Enforcement
 497 to reflect the changes made by this act.

498 (14) This section shall be contingent on the receipt of
 499 the federal grant funds necessary to implement the Uniform Port
 500 Access Credential System.

501 Section 3. For the purpose of incorporating the amendment
 502 to section 311.12, Florida Statutes, in a reference thereto,
 503 subsection (6) of section 315.02, Florida Statutes, is reenacted
 504 to read:

505 315.02 Definitions.--As used in this law, the following
 506 words and terms shall have the following meanings:

507 (6) The term "port facilities" shall mean and shall
 508 include harbor, shipping, and port facilities, and improvements
 509 of every kind, nature, and description, including, but without
 510 limitation, channels, turning basins, jetties, breakwaters,
 511 public landings, wharves, docks, markets, parks, recreational
 512 facilities, structures, buildings, piers, storage facilities,
 513 including facilities that may be used for warehouse, storage,
 514 and distribution of cargo transported or to be transported
 515 through an airport or port facility, security measures
 516 identified pursuant to s. 311.12, public buildings and plazas,
 517 anchorages, utilities, bridges, tunnels, roads, causeways, and
 518 any and all property and facilities necessary or useful in
 519 connection with the foregoing, and any one or more or any

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520 combination thereof and any extension, addition, betterment, or
521 improvement of any thereof.

522 Section 4. This act shall take effect July 1, 2004.